



BOARD OF COUNTY COMMISSIONERS SHELBY COUNTY, TENNESSEE

A G E N D A

December 5, 2005

Commissioner Tom Moss, Chairman
Commissioner Joe Ford, Chairman Pro Tempore
Commissioner Marilyn Loeffel
Commissioner George Flinn
Commissioner John Willingham
Commissioner Walter Bailey, Jr.
Commissioner Julian T. Bolton

Commissioner Deidre Malone
Commissioner Michael Hooks
Commissioner Cleo Kirk
Commissioner Joyce Avery
Commissioner David Lillard
Commissioner Bruce Thompson

1:30 P.M.

COMMISSION CONVENES

CALL TO ORDER

Deputy Sheriff Ricky Jackson

INVOCATION

Reverend Charles Neugebauer, Senior Paston
Christ the King Lutheran Church

PLEDGE OF ALLEGIANCE

ROLL CALL

Approval of Minutes of Previous Sessions

FORD
ADOPTED

October 24, 2005

MALONE
ADOPTED

November 21, 2005

C O N S E N T A G E N D A

Resolutions of Memorial, Sympathy and Commendation

FLINN
ADOPTED

1. Resolution honoring esteemed civil rights leader, Dr. Benjamin L. Hooks and congratulating him on his forthcoming eight first birthday.

Ordinances

KIRK
APPROVED

2. ORDINANCE – SECOND READING – An Ordinance to adopt Supplement No. 28 to the Code of Shelby County, Tennessee.

Zoning and Subdivisions

**LOEFFEL
ADOPTED
(A-C)**

3. Resolution approving various subdivision contracts, plats, extensions, bond releases, etc. as recommended by the County Engineer.

Reports and/or Resolutions of Standing Committees

**KIRK
ADOPTED**

4. Resolution rescinding the sale of five delinquent tax parcels from tax sale(s) 28, 53, 54, 85.2 and 91.1B pursuant to the provisions of the Tennessee Code Annotated Section 67-5-2507.

**KIRK
ADOPTED**

5. Resolution approving the sale of eighteen delinquent tax parcels from tax sale(s) 53, 54, 83.1, 85.2, 89.5, 89.6, 92.2A, 95.2, 98.2 and 99.1 pursuant to the provisions of the Tennessee Code Annotated Section 67-5-2507.

**KIRK
ADOPTED**

6. Resolution approving expenditure of funds in the amount of \$289,684.00 to various vendors for the purchase of digital scanners for the Register of Shelby County.

**AVERY
ADP[TED**

7. Resolution amending the FY 2005/2006 Budget and appropriating additional fund in the amount of \$20,000.00 from the FY 2005/2006 Budget for CIP Project Number 100106, Sanitary Sewer Repairs, for the installation of a decentralized sewer system in the Bolton Estates Subdivision.

**THOMPSON
ADOPTED**

8. Resolution authorizing the Shelby County Division of Corrections to accept and expend awarded grant funds from the State of Tennessee Commission on Children and Youth for the continuation of "Project Reachh" and amending the FY 2005/2006 Operating Budget of the Division of Corrections.

**HOOKS
ADOPTED**

9. Resolution approving a contract with Horse Owners Support Services, Inc., (HOSS) for the provision of a public riding concession at Shelby Farms.

**FLINN
ADOPTED**

10. Resolution approving and accepting the reverter and Quit Claim deed from Harold E. Buehler, Sr., pursuant to release of Homestead agreements and revesting said Quit Claim deed to Shelby County Government as part of a Dual Homestead Release. (WARD BLOCK AND PARCEL NOS. 050-077-026 AND 050-077-027)

**FLINN
ADOPTED**

11. Resolution approving and accepting the reverter and Quit Claim deed from Harold E. Buehler, Sr., pursuant to release of Homestead agreements and revesting said Quit Claim deed to Real Estate Office as part of a Dual Homestead Release. (WARD BLOCK AND PARCEL NOS. 021-081-001 AND 042-068-034)

FORD
ADOPTED

CONSENT AGENDA

REGULAR AGENDA

Elections, Appointments, and Confirmations

Ordinances

THOMPSON
(DEFERRED
TO 12/19/05)

12. **ORDINANCE – FIRST READING** – An ordinance to amend Ordinance No. 260 entitled “An Ordinance to amend Chapter 7, Article XI, of the Code of Ordinances of Shelby County, Tennessee,” relative to police emergency alarm services.

FORD
ADOPTED

13. **ORDINANCE – THIRD READING** – An Ordinance approving and setting the salary of Mayor of Shelby County for the 2006-2010 term of office.

FORD
ADOPTED

14. **ORDINANCE – THIRD READING** – An Ordinance to approve and set the salary of the Board of Commissioners for the 2006-2010 term.

AVERY
ADOPTED

15. **ORDINANCE – THIRD READING** – An Ordinance by the Board of Commissioners for Shelby County, Tennessee, to amend Chapter 14.5 of the Code of Shelby County to retain the same Annual Emission Fee amount for calendar year 2004.

Zoning and Subdivisions

LOEFFEL
DROPPED

16. **CASE NO. Z 05-114 CC**
APPLICANT: Hillard, Boyson & Tribble

LOCATION: Extending from the northern terminus of Hunter’s Glade Lane to the eastern terminus of Callie Manor Drive

REQUEST: Taking property out of the Agricultural (AG) Use District and including it in the Single Family Residential (R-S15) Use District

Memphis and Shelby County Office of Planning and Development recommendation:
APPROVAL

Memphis and Shelby County Land Use Control Board recommendation:
APPROVAL

(Notice of public hearing published in the Daily News Friday, September 30, 2005.)

**LOEFFEL
(DEFERRED
TO 01/09/06)**

- 17. CASE NO. P.D. 05-345 CC**
APPLICANT: Grey's Hollow, LLC
- LOCATION:** Southeast corner of Walnut Grove Road and Bazeberry Road
- REQUEST:** Mixed use planned development consisting of residential, office and commercial uses within the Plan

Memphis and Shelby County Office of Planning and Development recommendation:
APPROVAL WITH CONDITIONS

Memphis and Shelby County Land Use Control Board recommendation:
APPROVAL WITH CONDITIONS

(Notice of public hearing published in the Daily News on Friday, October 14, 2005.)

Reports and/or Resolutions for Standing Committees

**WILLINGHAM
(DEFERRED
TO 12/19/05)**

- 18. Resolution approving release of funds to the new Memphis Arena Public Building Authority of Memphis and Shelby County from swap proceeds custodial account for settlement of legal claims and payment of administrative expenses.**

**THOMPSON
(SUBSTITUTE)
ADOPTED**

- 18A. Resolution withdrawing Resolution No. 34 adopted on November 7, 2005, urging the Tennessee General Assembly to support common sense medical liability reform legislation, especially as it relates to frivolous medical malpractice lawsuits.**

Announcements/Statements

Adjournment

**THOMPSON
ADOPTED**

- 19. Resolution of Adjournment to December 19, 2005, at 1:30 p.m.**

AGENDA # 3
DECEMBER 5, 2005

3A

SUBDIVISION: AFTON GROVE P.D. PHASES 2A AND 2B (P.D. 01-319 CC)

DEVELOPER: AFTON GROVE PARTNERS

ACTION: RESOLUTION TO RELEASE THE BOND THAT SECURED THE IMPROVEMENTS TO AFTON GROVE P.D. PHASES 2A AND 2B (P.D. 01-319 CC)

LOCATION: EAST SIDE OF FOREST HILL IRENE ROAD; +/- 1000 FEET SOUTH OF CORDOVA PARK ROAD

3B

SUBDIVISION: CONCORD ESTATES SUBDIVISION, SECTION B (S 99-062 CC)

DEVELOPER: CONCORD L.L.C.

ACTION: RESOLUTION TO RELEASE THE BOND THAT SECURED THE IMPROVEMENTS TO CONCORD ESTATES SUBDIVISION, SECTION B (S 99-062 CC)

LOCATION: GERTRUDE DRIVE AND SHELBY DRIVE

3C

SUBDIVISION: CONCORD ESTATES SUBDIVISION, FIRST ADDITION (S 99-063 CC)

DEVELOPER: CONCORD L.L.C.

ACTION: RESOLUTION TO RELEASE THE BOND THAT SECURED THE IMPROVEMENTS TO CONCORD ESTATES SUBDIVISION, FIRST ADDITION (S 99-063 CC)

LOCATION: GERTRUDE DRIVE AND SHELBY DRIVE

[For questions regarding the Agenda, please call Steve Summerall at 545-4301.]